

Hot Issue / Briefing Paper

Mountaire Farms DE Contamination of Groundwater with Excess Nitrate

Date: 12/7/17

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Issue/Topic: Briefly summarize issue/topic using bullets or short paragraph form.
Please be sure to include current status.

On November 2, 2017 DNREC issued Notice of Violation W-17-GWD-13 (attached) to the Mountaire Farms facility in Millsboro, Delaware for numerous violations of their spray irrigation permit. Violation 8 of the DNREC NOV states that the “operation of the wastewater treatment facility and spray irrigation system has continued to cause the groundwater to exceed drinking water standards for Nitrate Nitrogen.” The DNREC violation places Mountaire Farms in violation of existing EPA 1431 Order on Consent, SDWA-03-2003-0015 Paragraph 38 (attached)

DNREC has initiated a program of sampling drinking water wells in the area to identify possibly affected residential drinking water wells. The first series of sampling included 17 homes and identified 14 homes with levels over the Nitrate MCL. A second round of sampling of 14 homes was completed last week. DNREC will share results once they are finalized. DNREC estimates approximately 40 to 60 homes will need sampling. Mountaire has been cooperating with DNREC and verbally agreed to supply bottled water to any homes over the MCL.

Background: Please provide brief history and/or facts to give issue context.

This is a region of Sussex County, DE that had historic levels of Nitrate over the MCL in the surrounding groundwater. Nitrate in excess of the Maximum Contaminant Level (MCL), which is 10mg/l in drinking water is categorized as an acute contaminant that causes methemoglobinemia and is therefore a health threat to the drinking water wells in the area.

Most residential wells in the area are shallow in nature and are easily contaminated by overloaded Nitrate levels from spray irrigation. In 2003 EPA issued the above referenced Order and identified 11 residences (map attached) that were affected by Mountaire’s spray irrigation practices at the time. That Order is still valid and Mountaire has provided either bottled water or Point of Entry treatment devices to those residences. As of this date 7 residences remain under that Order the other 4 homes were demolished or designated not to be used as residences.

Direction/Decision:

Does the RA need to make a decision? If so, please outline options with pros/cons.

Ex. 5 - Deliberative Process

Political Interest (local/state/federal/tribal): Please coordinate with the Office of State and Congressional Relations to identify any potential political interest or tribal interest.

EPA received a FOIA request regarding our actions that lead to the initial identification and the 2003 Order that resulted in providing of alternate sources of drinking water provided to the affected residences.

Several press outlets have written articles regarding current identification of affected residences.

Follow-up: Please identify next steps or actions, if any, that need to be taken and by whom.

We have been having periodic conversations with DNREC and they are supplying us with the results of the drinking well sampling results as they are available.

**** Briefing Papers are due the Friday before the briefing or the Wednesday prior to the briefing if the meeting is on Monday.**

Attachments:

DREC NOV
EPA AO
Original map
DNREC map

Please be brief and concise.

Limit briefing paper to one page front.

If needed, you may attach additional information, data, maps, etc. if that helps support this discussion.